

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

Insight Technology, Incorporated

v.

Civil No. 03-cv-253-JD

Glock, G.M.B.H. and Glock, Inc.

ORDER

Counsel has requested immediate action on an emergency motion to enforce settlement. The request for immediate action is denied. The motion will be set down for hearing, if necessary, in due course. In the meantime, the parties and counsel for the parties would be well advised to resolve this matter promptly themselves. If the court is required to hear and resolve this matter, counsel and the parties are placed on notice that the court will sanction any party or counsel who is found to have acted unreasonably. Furthermore, serious consideration should be given to returning to the mediator for his assistance in resolving this dispute since he is well versed in the matter and at this point in time has far more information about the matter than does the court.

When a case is settled it is incumbent upon counsel to see that the terms of the settlement are clear, unequivocal, and understood and agreed to by the parties. If counsel faltered in carrying out this important responsibility then the burden is even

greater on counsel to make every effort to resolve the dispute rather than resorting to the court.

SO ORDERED.

December 28, 2006

/s/Joseph A. DiClerico, Jr.

Joseph A. DiClerico, Jr.

United States District Judge

cc: Craig R. Smith, Esq.  
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